



Atty Dkt. No.: UCAL246  
USSN: 10/753,266

EXPRESS MAIL NO. EV333997176US

<b>PETITION UNDER 37 C.F.R. § 1.47(a)</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket Confirmation No.	UCAL246 6594
	First Named Inventor	James D. Murray
	Application Number	10/753,266
	Filing Date	January 7, 2004
	Group Art Unit	1632
	Examiner Name	Unassigned
	Title	<i>Lysozyme transgenic ungulates</i>

PETITION UNDER 37 C.F.R. § 1.47(a)

This is a petition under 37 C.F.R. § 1.47(a) to file the above captioned application by inventors James D. Murray, Gary B. Anderson, and Elizabeth A. Maga on behalf of David A. Zarling and Sushma Pati, who cannot be located.

Enclosed with this petition please find the following:

- Oath or declaration in accordance with MPEP 409.03(a) by all available inventors, i.e. James D. Murray, Gary B. Anderson, and Elizabeth A. Maga, on behalf of non-signing inventors David A. Zarling and Sushma Pati.
- Declaration by the undersigned, which demonstrates that non-signing inventors cannot be found despite attempts to locate them.

The last known address of record for non-signing inventors David A. Zarling and Sushma Pati is:

Pangene Corporation  
5500 Stewart Ave.  
Fremont, CA 94538

If, in the opinion of the Examiner, a telephonic interview would expedite prosecution of this application, the Examiner is invited to contact the undersigned at (650) 327-3400.

07/09/2004 AWONDAF1 00000071 500815 10753266

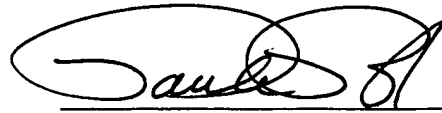
02 FC:1460 130.00 DA

If the Patent Office determines that fees, including extensions of time, are required, the Applicants hereby petition for any required relief, including extensions of time, and authorized the Commissioner to charge the cost of such to our Deposit Account No. 50-0815.

Respectfully Submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: July 1, 2004

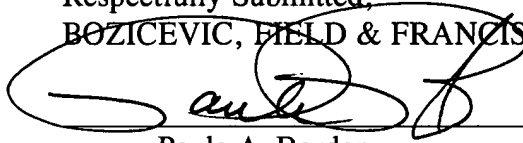
  
\_\_\_\_\_  
Paula A. Borden  
Reg. No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

3. On April 6, 2004, our office sent an electronic mail (e-mail) correspondence to our client, requesting the last known address for David A. Zarling and Sushma Pati. The response to our request indicated that the last known address was Pangene Corporation, 5500 Stewart Ave., Fremont, CA 94538. A copy of this e-mail is attached as Exhibit B.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such will false statements may jeopardize the validity of the application or any patent issuing thereon.

July 1, 2004  
Date

Respectfully Submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

  
Paula A. Borden  
Registration No. 42,344



Atty Dkt. No.:UCAL-246  
USSN: 10/753,266

EXPRESS MAIL NO. EV333997176US		
<b>DECLARATION</b>  <b>UNDER MPEP § 409.03(d)</b>  Address to: Commissioner for Patents Alexandria, VA 22313-1450	Attorney Docket Confirmation No.	UCAL246 6594
	First Named Inventor	MURRAY
	Application Number	10/753,266
	Filing Date	January 7, 2004
	Group Art Unit	1632
	Examiner Name	To Be Assigned
	Title	<i>LYSOZYME TRANSGENIC UNGULATES</i>

Dear Sir:

I, Paula A. Borden, am the agent who prepared the above captioned application and filed it with the U.S. Patent Office. I hereby declare as follows:

1. The above captioned application was filed on January 7, 2004 claiming priority to U.S. Provisional Patent Application serial no. 60/480,356 filed on June 20, 2003, and U.S. Provisional Patent Application serial no 60/439,150, filed January 9, 2003.
2. On May 27, 2004, I sent a letter directly to David A. Zarling and Sushma Pati by Federal Express at their last known address with Declaration documents for their signature. A copy of these letters and the tracking information, is enclosed as Exhibit A. The documents and letters were returned to me, with an indication that they could not be delivered because no such company named Pangene Corporation was at the address provided.

From: Origin ID: (650)833-7777  
CINDY K HOANG  
BOZICEVIC, FIELD & FRANCIS  
200 MIDDLEFIELD RD  
SUITE 200  
MENLO PARK, CA 94025



Ship Date: 27MAY04  
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Account#: S \*\*\*\*\*

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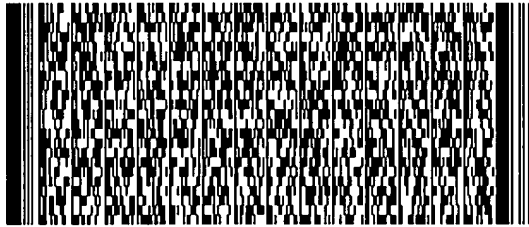
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SHIP TO: (510)360-9100

BILL SENDER

DAVID ZARLING  
PANGENE CORPORATION  
5500 STEWART AVE.

FREMONT, CA 94538



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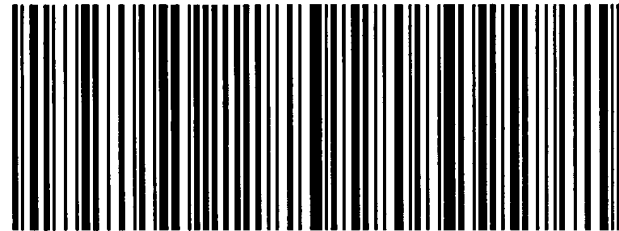
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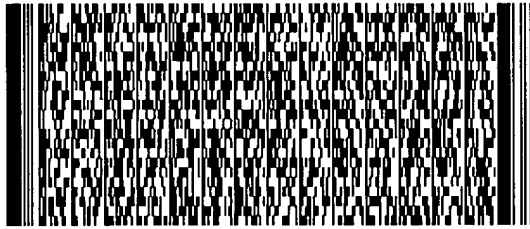
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Account#: S \*\*\*\*\*

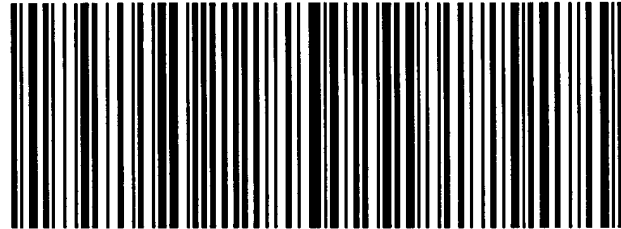
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# BOZICEVIC, FIELD & FRANCIS LLP

## INTELLECTUAL PROPERTY LAW

200 MIDDLEFIELD ROAD, SUITE 200  
MENLO PARK, CALIFORNIA 94025

TELEPHONE (650) 327-3400  
FACSIMILE (650) 327-3231

May 20, 2004

Barbara Boczar, Ph.D., J.D.  
Senior Intellectual Property Officer  
University of California, Davis  
508 Second Street, Suite 202  
Regency Square, Davis, California 95616-4664

Re: U.S. Application Serial No. 10/753,266 for  
"LYSOZYME TRANSGENIC UNGULATES"  
First Named Inventor: MURRAY, JAMES D.  
Your Reference: 2000-396-2  
Our Reference: UCAL-246

Dear Dr. Boczar:

Enclosed is a copy of a Notice to File Missing Parts of Application which we have received from the U.S. Patent Office in connection with the above-captioned application.

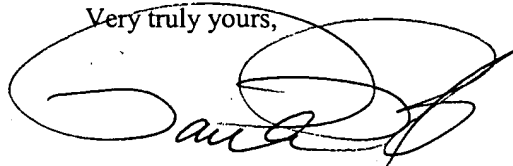
The Patent Office requires that we now file executed formal papers. To that end, we enclose an **updated** Declaration and Assignment to be signed by the inventors where indicated and returned to us.

**These documents should be signed and dated in blue ink.** The Declaration and Assignment documents should reflect the inventors' full, correctly spelled, legal names, current residential address, and country of citizenship. Any errors in these documents can be corrected by the individual providing the correction in ink, and initialing and dating the correction. Any corrections made without initialing and dating the corrections will render the documents useless.

Once the documents are signed and dated, please **return them to us before the due date of June 4, 2004 to avoid further extension fees.** We will file the documents in the U.S. Patent Office with our Response to the Notice to File Missing Parts as soon as they are returned to us.

Please call me with any questions or comments you may have regarding this matter. I can be reached by telephone at (650) 833-7710 or by email at [borden@bozpat.com](mailto:borden@bozpat.com).

Very truly yours,



Paula A. Borden

Enclosures

cc (w/encl.): James Murray  
Gary Anderson  
Elizabeth Maga  
Linda Stevenson  
Sushma Pati  
David A. Zarling

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

TITLE OF INVENTION: **LYSOZYME TRANSGENIC UNGULATES**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. **10/753,266** filed on **January 7, 2004**,

☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application, if applicable; and.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: **MURRAY, JAMES D.**

Signature: \_\_\_\_\_ Citizen of: **USA**

Inventor two: **ANDERSON, GARY B.**

Signature: \_\_\_\_\_ Citizen of: **USA**

Inventor two: **MAGA, ELIZABETH A.**

Signature: \_\_\_\_\_ Citizen of: **USA**

Inventor two: **PATI, SHUSHMA**

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor three: **ZARLING, DAVID A.**

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

# BOZICEVIC, FIELD & FRANCIS LLP

## INTELLECTUAL PROPERTY LAW

200 MIDDLEFIELD ROAD, SUITE 200  
MENLO PARK, CALIFORNIA 94025

TELEPHONE (650) 327-3400  
FACSIMILE (650) 327-3231

May 20, 2004

Barbara Boczar, Ph.D., J.D.  
Senior Intellectual Property Officer  
University of California, Davis  
508 Second Street, Suite 202  
Regency Square, Davis, California 95616-4664

Re: U.S. Application Serial No. 10/753,266 for  
"LYSOZYME TRANSGENIC UNGULATES"  
First Named Inventor: MURRAY, JAMES D.  
Your Reference: 2000-396-2  
Our Reference: UCAL-246

Dear Dr. Boczar:

Enclosed is a copy of a Notice to File Missing Parts of Application which we have received from the U.S. Patent Office in connection with the above-captioned application.

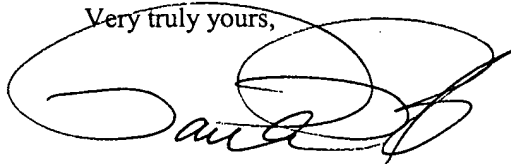
The Patent Office requires that we now file executed formal papers. To that end, we enclose an **updated** Declaration and Assignment to be signed by the inventors where indicated and returned to us.

**These documents should be signed and dated in blue ink.** The Declaration and Assignment documents should reflect the inventors' full, correctly spelled, legal names, current residential address, and country of citizenship. Any errors in these documents can be corrected by the individual providing the correction in ink, and initialing and dating the correction. Any corrections made without initialing and dating the corrections will render the documents useless.

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Please call me with any questions or comments you may have regarding this matter. I can be reached by telephone at (650) 833-7710 or by email at [borden@bozpat.com](mailto:borden@bozpat.com).

Very truly yours,



Paula A. Borden

Enclosures

cc (w/encl.): James Murray  
Gary Anderson  
Elizabeth Maga  
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Sushma Pati  
David A. Zarling

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This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/753,266 filed on January 7, 2004,

☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application, if applicable; and.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: MURRAY, JAMES D.

Signature: \_\_\_\_\_ Citizen of: USA

Inventor two: ANDERSON, GARY B.

Signature: \_\_\_\_\_ Citizen of: USA

Inventor two: MAGA, ELIZABETH A.

Signature: \_\_\_\_\_ Citizen of: USA

Inventor two: PATI, SHUSHMA

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor three: ZARLING, DAVID A.

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

**From:** Jeannie Camara <jlcamara@Research.UCDavis.Edu>  
**To:** 'Cindy Hoang' <Hoang@bozpat.com>  
**Date:** 4/6/04 4:27PM  
**Subject:** RE: UC Case Number: 2000-396

Hi Cindy,

The last known address we have for Shushma Pati and David Zwerling was  
Pangene Corporation, 5500 Stewart Avenue Fremont CA 94538. Tel (510)  
360-9100.

Best regards,

Jeannie

-----Original Message-----

**From:** Cindy Hoang [mailto:Hoang@bozpat.com]  
**Sent:** Tuesday, April 06, 2004 1:10 PM  
**To:** jlcamara@ucdavis.edu  
**Subject:** UC Case Number: 2000-396

Hi Jeannie,

I am in the process of adding Sushma Pati and David Zarling as inventors to  
the UC case no. 2000-396 application. Could you give me their mailing and  
home address as well as their citizenship information?  
Please let me know if you have any questions.

Thank you,  
Cindy Hoang  
Assistant to Paula A. Borden  
(650) 833-7777